



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

McKerley Health Care Center-Concord
Limited Partnership
d/b/a McKerley Health Care Center-
Donald St.
One Fisher Avenue
Penacook, NH 03303


Re: 480 Donald Street, Bedford, NH
UST ID # 0112306

**WITHDRAWAL OF
NOTICE OF PROPOSED
ADMINISTRATIVE FINE
No. AF 05-037**

June 15, 2005

This Withdrawal of Notice of Proposed Administrative Fine is issued by the Department of Environmental Services, Waste Management Division ("the Division") to McKerley Health Care Center-Concord Limited Partnership d/b/a McKerley Health Care Center-Donald Street ("McKerley"). The original Notice of Proposed Administrative Fine No. AF 05-037 ("the Notice") was dated May 20, 2005, and sought administrative fines for violations relating to the underground storage facility located at the McKerley Health Care Center, 480 Donald Street, Bedford, NH. Based upon submittals from McKerley, the Division learned that American Tank Management, Inc., a contractor hired by McKerley, reported the facility was inspected within the specified time frame and that annual leak monitoring tests had been performed and that a new overfill prevention valve was installed. The Division thus withdraws the Proposed Action.

This withdrawal shall not be deemed a decision on the merits of the Notice and shall not limit or restrict the remedy or relief that may be sought if additional violations are discovered. Questions regarding this Withdrawal should be directed to Thomas Beaulieu at 603-271-2986 or by e-mail at tbeaulieu@des.state.nh.us.

COPY

Anthony P. Giunta, P.G., Director
DES Waste Management Division

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